

9. Legal Philosophy

The *Japan Association for Legal Philosophy* held its 2016 General Meeting at Rikkyo University on November 12 and 13, 2016.

Unifying Theme: “The Law of Care and the Law from the Perspective of Care”

Presentations on Each Theme:

Section A:

- (1) “Normative Justification of Patients’ Participation in Medical Studies”
Yuichi Maru (Associate Professor, Tottori University)
- (2) “Behavioral Economics Analysis of the Citizen Judge System: Validity of Evidence from Neuroscience and Genomics”
Soichiro Toda (Designated Assistant Professor, Tohoku University)

Section B:

- (1) “The System of Obligation in Jean Domat’s ‘Order of Nature’: Focusing on the Theory of Compensation for Damages”
Mayoko Nakano (Lecturer, Asahi University)
- (2) “‘The Theory of Human Security’ as a Method: Beyond the Duty of Protection”
Yuki Mochizuki (Designated Associate Professor, Chiba University)

Workshops:

Section A: “Artificial Intelligence (AI) / Robots and Law”

Directed by Fumiaki Kobayashi (Postdoctoral Research Fellow of Japan Society for Promotion of Science).

- (1) “Explanation on the Purpose of the Project”
Fumiaki Kobayashi
- (2) “Legal Responsibility of AI/Robots”
Ryota Akasaka (Senior Researcher, Keio Research Institute at SFC)
- (3) “Effects and Risks of Networking AI / Robots”

Satoshi Narihara (Visiting Researcher, Interfaculty Initiative in Information Studies of Tokyo University)

- (4) “A Study on AI and the System of Government”

Ikuko Kudo (Consultant, Makaira Corporation)

- (5) “Summary Comments”

Fumiaki Kobayashi

Section B: “Aging Society and Intergenerational Justice”

Directed by Takayuki Kira (Lecturer, Utsunomiya Kyowa University).

- (1) “Explanation of the Purpose of the Workshop”

Takayuki Kira

- (2) “Intergenerational Justice and Immigrants”

Anna Nakamura (Lecturer, Japan Women’s College of Physical Education)

- (3) “The Legal System in an Ageing Society with Fewer Children”

Mayu Terada (Associate Professor, International Christian University)

- (4) “Two Possible Types of Intergenerational Justice”

Takayuki Kira

Section C: “Law and Politics around the Acts of Government”

The person in charge of the workshop was Reiko Fukawa (Former Professor of Yamanashi Gakuin University). The chairperson was Kenichi Katada (Professor of Aichi Gakuin University).

- (1) “‘Acte de gouvernement’ and ‘political question’: What is the Essence of the Acts of Government”

Setsu Kobayashi (Emeritus Professor, Keio University)

- (2) “The Acts of Government and a Constitutional Judge”

Manabu Ishizaki (Professor, Ryukoku University)

- (3) “A Comment from my Practical Experience in Constitutional Lawsuits of Sunagawa, Eniwa, Naganuma, Hyakuri and Iraq”

Isao Naito (Lawyer)

- (4) “The Acts of Government and Functions of Jurisdiction”

Reiko Fukawa

- (5) “Summary Comments”

Tatsuo Inoue (Professor, Tokyo University)

Section D: “The Order of Freedom and Cooperation in Risk Society”

Directed by Akiko Nozaki (Professor, Kyoto Pharmaceutical University).

- (1) “Patterns of Risk and Risk Control: Clinical Research and Global Justice”
Takayuki Kawase (Associate Professor, Chiba University)
- (2) “Individual Life and Statistical Life: A Perspective on Risk”
Akiko Nozaki
- (3) “Risk and Libertarian Paternalism”
Tsutomu Hashimoto (Professor, Hokkaido University)
- (4) “A Study on Peace of Mind as Distinguished from Security”
Itaru Shimazu (Emeritus Professor, Chiba University)

Section E: “Radbruch and Modern Idealistic Legal Philosophy”

Directed by Toshio Shinohara (Professor, Kokushikan University).

- (1) “Radbruch and Modern Idealistic Legal Philosophy”
Ichiro Sako (Professor, Kyushu University)
- (2) “Comment 1”
Ken Takeshita (Professor, Kansai University)
- (3) “Comment 2”
Hidehiko Adachi (Professor, Kanazawa University)

Presentations on the Unifying Theme: “The Law of Care and the Law from the Perspective of Care”

First Part:

- (1) “The Law of Care and the Law from the Perspective of Care”
Takahiro Hattori (Professor, Kyoto University)
- (2) “Passion to Care: From Ethics to Systems”
Hirono Ikeda (Lecturer, Yamagata University)
- (3) “Comment on Ikeda’s Report”
Daisuke Odagawa (Professor, Okayama University)
- (4) “Children and Care”
Hiroshi Oe (Professor, Okayama University)
- (5) “What kind of Entity ‘a Child’ is? : Comment on Oe’s Report”
Takehiko Yoshioka (Associate Professor, Saga University)
- (6) “Is ‘Support to Decision Making’ Possible?”
Shoichi Sato (Professor, Kokugakuin University)

- (7) “Towards ‘Care’ as a Basic Idea of Social Conception: Comment on Sato’s Report”

Masako Inoue (Professor, Kanagawa University)

Second Part:

- (1) “The Multilayered Structure of Care: Thinking about Care Insurance and the Hospice”

Makoto Kawami (Professor, Aoyama Gakuin Women’s Junior College)

- (2) “Justice of Liberalism and Ethics of Care in Care Insurance: Comment on Kawami’s Report”

Shuzo Tsutsumi (Designated Professor, University of Nagasaki)

Symposium: “The Law of Care and the Law from the Perspective of Care”

The chairpersons were Takahiro Hattori and Yoshiki Wakamatsu (Professor of Gakushuin University).

10. Comparative Law

I. The *Japan Society of Comparative Law* held its 79th General Meeting at Kwansei Gakuin University on June 4 and 5, 2016.

First Day

1. Anglo-American Law Section:

- (1) “Discovery of Evidence to Defendant’s Advantage in America - with Priority Given to the Argument of the Brady Rule -”

Sho Miake (Nihon University)

Chaired by Naoya Yamaguchi (Professor, Ritsumeikan University)

- (2) “Constitutional Inquiry into the Current Value of the Chevron Judgement”

Yuichiro Tsuji (Associate Professor, Tsukuba University)

Chaired by Shigeo Miyagawa (Professor, Waseda University)